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14 Attorneys for Defendants

15 GENCO I, INC. and GENCO INFRASTRUCTURE SOLUTIONS, INC.
(Erroneously named herein as "GENCO DISTRIBUTION
16 SYSTEM")

17 IN THE UNITED STATES DISTRICT COURT

18 FOR THE NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

19 P.E. JIMERSON, on behalf of himself and a class
20 of similarly situated persons,

21 Plaintiff,

22 vs.

23 GENCO DISTRIBUTION SYSTEM, INC., a
Pennsylvania corporation; and DOES 1 through 50,
24 inclusive,

25 Defendants

26 Case No. C 11-5157 SBA

27 **STIPULATION OF PLAINTIFF AND
DEFENDANTS TO CHANGE DATE OF
HEARINGS ON PLAINTIFF'S MOTION TO
REMAND [DKT. #14] AND DEFENDANT'S
MOTION TO TRANSFER [DKT. #11];
[PROPOSED] ORDER**

1 WHEREAS, Plaintiff's Motion to Remand [Dkt. #14] is pending before the Court and currently
2 scheduled to be heard on April 10, 2012;

3 WHEREAS, Defendants' Motion to Transfer [Dkt. #11] is pending before the Court and currently
4 scheduled to be heard on April 24, 2012;

5 WHEREAS, the Court ordered on February 27, 2012 that Plaintiff's Motion to Remand should be
6 heard before Defendants' Motion to Transfer, and reset the hearing dates for both motions;

7 WHEREAS, counsel for Plaintiff now has a conflict with the April 10, 2012 hearing date because
8 she is required to attend a claim construction hearing in a case pending in the Southern District of
9 California, *SPH America, LLC v. Acer, et al.*, case no. 09-cv2535, that was rescheduled to
10 April 10, 2012; and

11 WHEREAS, the claim construction hearing in the *SPH America* case has been continued twice
12 previously, involves ten parties traveling from different parts of the country, and would be incredibly
13 difficult if not impossible to reschedule.

14 THEREFORE, the parties STIPULATE and agree as follows:

15 (1) That the hearing on Plaintiff's Motion to Remand [Dkt. #14] scheduled for April 10, 2012
16 at 1:00 p.m. is CONTINUED to April 24, 2012 at 1:00 p.m.

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1 (2) That the hearing on Defendant's Motion to Transfer [Dkt. #11] scheduled for
2 April 24, 2012 at 1:00 p.m. is CONTINUED to May 8, 2012 at 1:00 p.m., or the next date available on
3 the Court's calendar.

4 **IT IS SO STIPULATED.**

5 Dated: March 27, 2012

PATTERSON LAW GROUP

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7 By: /s/ Allison H. Goddard
ALLISON H. GODDARD

8 Attorneys for Plaintiff and the Class

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10 Dated: March 27, 2012

SEYFARTH SHAW LLP

11
12 By: /s/ Christopher A. Crosman
CHRISTOPHER A. CROSMAN

13 Attorneys for Defendants
14 GENCO I, INC. and
GENCO INFRASTRUCTURE SOLUTIONS,
INC.
15 (Erroneously named herein as "GENCO
DISTRIBUTION SYSTEM, INC.")

ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, and finding good cause therein, IT IS
HEREBY ORDERED that:

(1) The hearing on Plaintiff's Motion to Remand [Dkt. #14] scheduled for April 10, 2012 at 1:00 p.m. is CONTINUED to April 24, 2012 at 1:00 p.m.; and

(2) The hearing on Defendant's Motion to Transfer [Dkt. #11] scheduled for April 24, 2012 at 1:00 p.m. is CONTINUED to [May 8, 2012 at 1:00 p.m.].

IT IS SO ORDERED.

DATED: 3/29/12

Saundra B. Armstrong
HON. SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT COURT JUDGE

1 **CERTIFICATE OF SERVICE**
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The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all parties via CM/ECF on March 27, 2012.

/s/ Allison H. Goddard